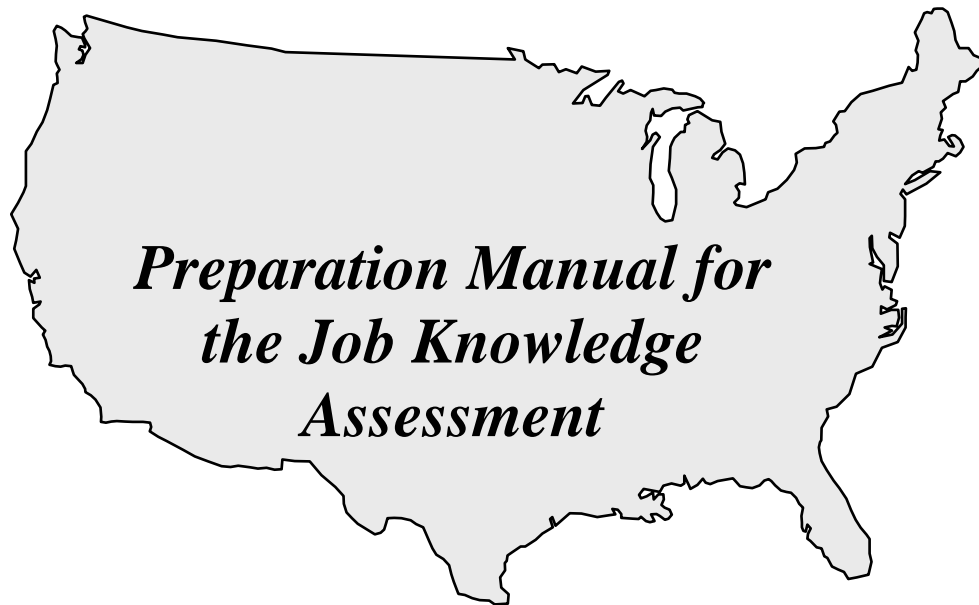

***U.S. Border Patrol
Promotional Assessment Process***



**Personnel Research and Assessment Division
Office of Human Resources Management
U.S. Customs and Border Protection**

Revised January 2011

Preparation Manual for the U.S. Border Patrol Job Knowledge Assessment

INTRODUCTION

Purpose of this Manual

The purpose of this manual is to help you prepare to take the U.S. Border Patrol Job Knowledge Assessment, which is part of the competency-based promotional assessment process for first-line supervisory positions in the Border Patrol.

In order to be eligible for first-line supervisory positions, qualified Border Patrol Agents must complete the Border Patrol Career Experience Inventory (CEI) and take the three-part promotional assessment battery consisting of the Critical Thinking Skills (CTS) Assessment, the Managerial Writing Skills Exercise, and the Job Knowledge Assessment. Preparation materials for the CTS and the Managerial Writing Skills Exercise assessments are available separately.

The assessment described in this manual evaluates candidates' knowledge of regulations, laws, procedures, and processes related to the requirements of a first-line supervisor in the Border Patrol. The manual will familiarize you with the assessment and will provide you with an opportunity to study sample questions that are representative of the questions in the assessment. The manual outlines both the knowledge domains included in the Job Knowledge Assessment and the primary reference materials that cover the knowledge assessed.

Contents of this Manual

The manual is organized into four sections. The first section briefly explains how the job knowledge questions were developed, reviewed, and validated. The second section discusses the breakdown by duty area and the number of questions in the assessment which represent each duty area. A list of specific knowledge areas for each duty area, followed by the primary references used for each of these duty areas is also provided in this section. The third section contains a strategy for preparing for the assessment. Finally, the fourth section has sample questions that are similar to the questions in the assessment. The sections and their associated page numbers are given in the table below:

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SECTION ONE: HOW THE ASSESSMENT WAS DEVELOPED

A recent job analysis of the Border Patrol occupation identified the most critical knowledge areas that are required for effective performance in the Supervisory Border Patrol Agent position. A panel of experienced, highly qualified Supervisory Border Patrol Agents was convened to confirm the content areas to be covered in the assessment and to generate job knowledge questions addressing the content areas. Under the direction of senior research psychologists from the Personnel Research and Assessment Division, the panel confirmed the most important knowledge areas. Then, they wrote questions to address the specific content areas. The content areas are provided in Section Two.

Each question addresses a specific content area and is tied to a specific reference. A list of these references is found in Appendix A on page 13. These reference materials should be readily available for study purposes.

All of the questions were reviewed for accuracy and appropriateness by a panel of Supervisory Border Patrol Agents. The panel agreed that each question assesses an important knowledge and that each question has a single, correct answer that is consistent with the policies and procedures of all Border Patrol sectors.

SECTION TWO: CONTENT AREAS COVERED BY THE ASSESSMENT

The primary content areas covered by the assessment and the percentages of questions from each content area are provided in the following table.

Job Knowledge Assessment Areas

Content Area	Percentage of Questions
Operations	30%
Administrative/Criminal Prosecutions	25%
Resources Management	15%
Personnel Management	10%
Public Relations/Communications	10%
Policy Development And Implementation	10%

The content areas are listed below with the technical knowledge areas that are important for performing job tasks in each content area. The reference material that was used to write the test questions for each content area are provided in Appendix A.

Operations

The Operations content area includes the knowledge of:

- Immigration Law
- Nationality Law
- Security Issues and Procedures
- Laws and Functions across CBP & ICE Agents
- Administrative Procedures and Reports
- Arrest and Detention Policies and Procedures
- Firearms Policies and Procedures
- Physical Techniques
- Civil Rights Issues in Relation to Use of Authority
- Special Law Enforcement Topics
- Critical/Traumatic Incident Reporting Criteria/Definition
- Juvenile Aliens
- Criminal Case Preparation and Presentation

Operations (continued)

- Escort and Transportation
- Border Patrol Agent Operations
- Vehicle Pursuit Policy
- Law Enforcement Operations
- Special Operation Requirements/Procedures
- Investigation Case Management System
- Tactical and Operational Planning
- Accident Investigation Procedures
- Criminal Law Enforcement/Prosecutions Procedures
- Law Enforcement Techniques
- Administrative Policies and Procedures for Alien Processing and Removal
- Court Procedures
- Overtime and/or AUO/LEAP Regulations
- Labor Management Relations
- Ethics/OIG/OIA

Administrative/Criminal Prosecutions

The Administrative/Criminal Prosecutions content area includes the knowledge of:

- Immigration Law
- Nationality Law
- Laws and Functions across CBP & ICE Agents
- Arrest and Detention Policies and Procedures
- Civil Rights Issues in Relation to Use of Authority
- Special Law Enforcement Topics
- Juvenile Aliens
- Criminal Case Preparation and Presentation
- Escort and Transportation
- Border Patrol Agent Operations
- Law Enforcement Operations
- Investigation Case Management System
- Cooperating Individuals and Confidential Informants
- Criminal Law Enforcement/Prosecutions Procedures
- Law Enforcement Techniques
- Administrative Policies and Procedures for Alien Processing and Removal
- Asylum Program and Procedures
- Court Procedures

Resources Management

The Resources Management content area includes the knowledge of:

- Border Patrol Agent Operations
- Law Enforcement Operations
- Special Operation Requirements/Procedures
- Statistical Reporting Requirements
- Budget, Procurement, and Property Management

Personnel Management

The Personnel Management content area includes the knowledge of:

- Administrative Procedures and Reports
- Knowledge of Border Patrol Operations
- Overtime and/or AUO/LEAP Regulations
- Workers' Compensation Regulations and Procedures
- Employee Assistance Program (EAP)
- Employee Health and Safety
- Personnel Procedures/Issues
- Disciplinary Action Procedures
- Labor Management Relations
- Equal Employment Opportunity (EEO) Requirements
- Ethics/OIG/OIA

Public Relations/Communications

The Public Relations/Communications content area includes the knowledge of:

- Agency (CBP)
- Border Patrol Agent Operations
- Law Enforcement Operations

Policy Development and Implementation

The Policy Development and Implementation content area includes the knowledge of:

- Immigration Law
- Nationality Law
- Agency (CBP)
- Border Patrol Agent Operations
- Law Enforcement Operations
- Administrative Policies and Procedures for Civil Violations of the INA

SECTION THREE: STRATEGY FOR PREPARING FOR THE ASSESSMENT

Once you have read the list of content areas presented above, you should have another look at the table of presented on page 4. This table provides the percentage of questions included in the assessment for each content area, which may help you decide the amount of time to devote to the study of each content area. If you feel quite secure in your knowledge of a particular content area, you can devote more time and effort to the study of materials related to the other content areas. Appendix A provides a list of the reference materials.

The Job Knowledge Assessment questions are multiple-choice. Each has a question and four choices consisting of a correct answer and three incorrect answers. There is no penalty for guessing on this assessment; therefore, you should select a response for every question, even if you are not absolutely certain that it is the correct response.

Reading the sample questions and the ensuing discussion for each should also help you to prepare for the assessment. The sample questions illustrate the types and content of questions that will appear on the assessment as well as the manner in which the questions are related to the specific knowledge areas covered by the assessment.

SECTION FOUR: SAMPLE QUESTIONS

1. Agents working near a port of entry apprehend a U.S. citizen attempting to smuggle 10 pounds of marijuana into the United States. During the interview, they discover that the U.S. citizen has a vehicle parked in a lot approximately one half mile from the arrest site. The agents seek your advice regarding a search of the vehicle. What should you advise the agents to do?
 - A) Search the vehicle, because it is related to the subject's arrest.
 - B) Search the vehicle, because it is being used to further the commission of a crime.
 - C) Do not search the vehicle.
 - D) Seize the vehicle and search it at the station.
2. You are the supervisor in the station when an individual from a local immigrant rights group states that she is authorized by the Mexican Consul to inspect the detention facility on behalf of the Mexican government. What action should you take?
 - A) Allow her to conduct the inspection in the interest of international relations.
 - B) Allow the inspection but escort the individual while in the secure area.
 - C) Deny the request until you verify with the Mexican Consul.
 - D) Deny the request until it is authorized by someone at the appropriate level.
3. Which of the following court decisions applies to the treatment of unaccompanied juveniles?
 - A) Flores v. Reno
 - B) Orantes decision
 - C) Sanchez v. United States
 - D) Colorado v. Bertine
4. An agent is interviewing a suspect at the request of local law enforcement authorities. During the course of the interview, several facts are revealed. The alien originally entered the country illegally in 1988. His family made application to adjust his status in 1990, and he was granted an employment authorization. In January 1997, the alien was arrested for burglary shortly after he was granted legal resident status and an I-551 was issued. In June 1997, the alien was convicted of a felony burglary and sentenced to one year in jail. Which section of the INA applies in this scenario?
 - A) 212
 - B) 237
 - C) 245
 - D) 287

5. What action would be appropriate if you find out that an alien who entered the United States illegally today had been deported within the last five years?
- A) Issue a Notice to Appear.
 - B) Reinstate the prior order.
 - C) Administratively remove the alien.
 - D) Recommend a voluntary departure.
6. While performing checkpoint backup duties, agents observe a vehicle pulling onto the shoulder of the highway two miles north of the checkpoint. The vehicle matches the description of a vehicle that had just passed through the checkpoint. The checkpoint agent states that the vehicle was occupied by one person. The agents observe several individuals run from the brush and climb into the vehicle, after which the vehicle leaves the area. The agents subsequently stop the vehicle. The driver is determined to be a resident of Puerto Rico and the passengers are determined to be illegal aliens. The driver could be charged with committing a/an:
- A) felony.
 - B) misdemeanor.
 - C) petty offense.
 - D) administrative proceeding.
7. If an agent is injured while off-duty and is required by a doctor to stay at home for more than three days to recuperate, what form must be completed upon the agent's return to duty?
- A) CA-1
 - B) CA-3
 - C) CA-16
 - D) A medical release from the physician
8. When is an agent authorized to carry a firearm onboard a commercial airplane?
- A) When traveling on official orders
 - B) At any time
 - C) When authorized by the PAIC
 - D) At any time, as long as the weapon is unloaded
9. At what interval should informal progress reviews regarding an agent's performance be completed by the supervisor?
- A) once in each appraisal cycle
 - B) twice in each appraisal cycle
 - C) as needed
 - D) as regularly scheduled

10. Under what circumstance can an agent perform liaison activities in a foreign territory?
- A) When it is crucial to the resolution of a situation
 - B) When acting as a media representative
 - C) In any Agency-related circumstance
 - D) Only when assigned to do so by the Chief Patrol Agent
11. According to statutory authority, Border Patrol Agents may access private lands for the purpose of patrolling the border within what distance from the border?
- A) 15 miles
 - B) 25 miles
 - C) 50 miles
 - D) 100 miles

Answers and Explanations for Sample Questions:

1. The correct answer is choice C, “Do not search the vehicle.” According to the M-69, The Law of Arrest, Search, and Seizure Manual, this scenario is an example of a warrantless search. Because the vehicle was one half mile away from the site of the apprehension, it was not use in furtherance of the crime. Therefore, the vehicle search does not fall under the warrantless search criteria. This question addresses the Operations content area.
2. The correct answer is choice D, “Deny the request until it is authorized by someone at the appropriate level.” Non-agent personnel are never allowed on station property without an escort. This question addresses the Operations content area.
3. The correct answer is choice A, “Flores v. Reno.” The Flores v. Reno case resulted in a stipulated settlement agreement that addresses the handling of unaccompanied juvenile aliens. This question addresses the Operations content area.
4. The correct answer is choice B, “237.” Section 237 of the INA deals with general classes of deportable aliens. Because the subject in this scenario is a legal permanent resident and was convicted of two crimes of moral turpitude, he is subject to deportation based on section 237 of the INA. Section 212 of the INA covers admissibility, section 245 of the INA deals with adjustment of status from a nonimmigrant to a legal permanent resident, and section 287 of the INA covers the powers of immigration officers. The question addresses the Administrative/Criminal Prosecutions content area.
5. The correct answer is choice B, “Reinstate the prior order.” The question was based on information in Section 247(a)(5) and Section 212(a)(9)(A)(i) of the INA. The question addresses the Administrative/Criminal Prosecutions content area.
6. The correct answer is A, “felony.” The driver in this scenario would be charged with Section 274 of the INA, Bringing In and Harboring Certain Aliens. The driver could receive a sentence of 5 or more years of imprisonment for transporting illegal aliens within the United States; therefore, classifying the charge as a felony. The question addresses the Administrative/Criminal Prosecutions content area.
7. The correct answer is D, “a medical release from the physician.” The CA forms would only be completed for on-duty injuries/occupational safety and health issues. The question addresses the Resources Management content area.
8. The correct answer is B, “at any time.” According to the memorandum of February 7, 2008, from Chief Aguilar, the policy of flying armed was changed from being allowed only when on official orders to anytime. This question addresses the Resources Management content area.

9. The correct answer is C, “as needed.” According to the DHS Performance Management Program, Employee Guide, an informal progress review should occur on an as needed basis. The formal mid-year and end-of-year progress reviews should occur once each during the performance management cycle. This question addresses the Personnel Management content area.
10. The correct answer is D, “Only when assigned to do so by the CPA.” This question addresses the Public Relations/Communications content area.
11. The correct answer is B, “25 miles.” According to Chapter 2 (Jurisdiction) of the Border Patrol Handbook, Border Patrol Agents have statutory authority under 8 USC 1357(a)(3) to “... access to private lands but not dwellings for the purpose of patrolling the border to prevent illegal entry of aliens into the United States.” This question addresses the Policy Development/Implementation content area.

APPENDIX A

REFERENCE MATERIALS

The following list contains the primary reference materials for the Job Knowledge Assessment. Note that information related to a particular knowledge area may be found in multiple locations (for example, information about the Employee Assistance Program (EAP) may be found in more than one place).

ONLINE/ELECTRONIC RESOURCES

CBPnet:

Includes the following important references: eComp, EAP information and links, significant incident reporting, EEO complaint processing procedures, Border Patrol travel regulations, computer security training, guidelines for disciplinary actions

CBPnet Secure:

Includes access to the OBP reference library which contains relevant policies and directives such as: National Field Training Program policies, radiation detection policy, vehicle pursuit policy, seized property policy, injured alien policy, flying armed, juvenile processing, hold rooms and short-term custody, use of BPETS

PODS:

This is the Policy Online Document Search which includes the following important references: CBP special interest aliens directive, management of critical incidents

INS INSERTS: found on PODS home page through “Additional Policy Links”

Includes the following important references: Leave Handbook, Motor Vehicle Management Handbook, Workers’ Compensation Program Handbook, Controlled Tire Deflation Device directive, Administrative grievance system guidance, Pepperball Launching System (PLS) policy

HANDBOOKS/MANUALS

Border Patrol Handbook

Includes the following important references: jurisdiction, evidence policy, firearms policies and procedures, checkpoint operations and policy, public affairs, use of force policy, significant incident reporting

M-68 Officer's Handbook**Administrative Manual**

LAWS/REGULATIONS/AGREEMENTS

Immigration and Nationality Act**8 Code of Federal Regulations (CFR)****18 United States Code - Crimes and Criminal Procedure****M-69 The Law of Arrest, Search, and Seizure for Immigration Officers****M-422 Agreement Between U.S. INS and the National Border Patrol Council**